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09/625,398	07/26/2000	Eric C. Anderson	P205/US	7721

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EXAMINER	
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ART UNIT	PAPER NUMBER
2164	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/625,398	ANDERSON ET AL.	
	Examiner	Art Unit	
	MELLISSA M. CHOJNACKI	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10 and 12-40* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10 and 12-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. In response to communications filed on April 10, 2008, no claims have been amended or cancelled and no new claims have been added. Therefore claims 1-10, and 12-40 are still presently pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10, and 12-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (U.S. Patent No. 6,567,122 B1).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As to claim 1, Anderson et al. teaches a method for providing access to respective entity-specific photo-sharing websites for a plurality of entities, each entity controlling a set of entity-specific network-enabled image capture devices (See Abstract; column 4, lines 5-13, lines 19-56), the method comprising:

providing an online photo-sharing service configured to provide access to the respective entity-specific photo-sharing websites for each of the entities, wherein one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities (See column 4, lines 19-56); and

providing software for the entity-specific network-enabled image capture devices, including a TCP-IP protocol stack that enables wireless communication between the entity-specific network-enabled image capture devices and the online photo-sharing service via a-a a wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), that causes the entity-specific network-enabled image capture devices to wirelessly transmit entity ID information when the entity-specific network-enabled image capture devices wirelessly transmit images to the photo-sharing service over the Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), wherein when the entity-specific network-enabled image capture devices wirelessly connect to the photo-sharing service via the wireless Internet connection, the photo-sharing service uses the entity ID received from the entity-specific network-enabled image capture devices to automatically associate the images received from the entity-specific network-enabled image capture devices with the photo-sharing website of the identified entity (See abstract; column 4, lines 1-

57; column 8, lines 56-67; column 9, lines 19-50; column 10, lines 44-56; column 12, lines 5-40).

As to claims 2 and 12, Anderson et al., teaches further including the step of storing the entity ID in the entity-specific network-enabled image capture devices during manufacturing (See abstract; column 11, lines 61-67; column 12, lines 1-4, lines 57-67); wherein the entity ID is stored in the digital camera during manufacturing (See abstract; column 11, lines 61-67; column 12, lines 1-4, lines 57-67).

As to claims 3 and 13, Anderson et al. teaches further including the step of storing the entity ID in the entity-specific network-enabled image capture devices subsequent to manufacturing (See abstract; column 11, lines 61-67; column 12, lines 1-4, lines 57-67); wherein the entity ID is stored in the digital camera subsequent to manufacturing (See abstract; column 11, lines 61-67; column 12, lines 1-4, lines 57-67).

As to claim 4, Anderson et al., teaches further including providing a plurality of entity IDs, wherein each entity ID identifies a different entity (See abstract; column 4, lines 1-57; column 11, lines 61-67; column 12, lines 1-4, lines 57-67).

As to claim 5, Anderson et al. teaches further including providing an entity ID identifying a camera manufacturer and an entity ID identifying a user (See abstract; column 4, lines 1-57; column 11, lines 61-67; column 12, lines 1-4, lines 57-67).

As to claim 6, Anderson et al. teaches further including storing an entity account in a database corresponding to different entity IDs (See abstract; column 4, lines 1-57; column 10, lines 15-56).

As to claims 7, 19 and 27, Anderson et al. teaches further including the step of associating with each of the entity accounts, web pages comprising the corresponding entity-specific photo-sharing website, and user account numbers of authorized users (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); wherein the server matches each one of the entity ID's received with one of the entity accounts (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); further including the step of creating an entity account in the database for every entity ID, and associating each of the entity-specific websites with the corresponding entity account (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claims 8 and 18, Anderson et al. teaches further including the step of matching the entity ID information received from each image capture device with the corresponding entity account in the database (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); wherein the database stores entity account information for each one the entities (See column 4,

lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 9, Anderson et al. teaches further including the step of automatically associating the received images with the entity-specific photo-sharing website of the identified entity (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 10, Anderson et al. teaches an online photo-sharing system (See Abstract; column 4, lines 5-13, lines 19-56), comprising:

an online photo-sharing service for providing access to respective photo-sharing websites for a plurality of entities, wherein each of the entities controls a set of network-enabled digital cameras and one or more of the photo-sharing websites is customized f4~ in appearance to a corresponding one or more of the plurality of entities (See Abstract; column 4, lines 5-13, lines 19-56); and

digital camera software that is customized each of the entities, including a TCP-IP protocol stack that enables wireless communication between the digital cameras and the online photo-sharing service via wireless Internet connection, wherein when the software customized an entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection to the photo- sharing service (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), the software causes the network-enabled digital cameras to automatically upload images

and wirelessly transmit the entity ID information for the entity to the photo-sharing service over the wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), allowing the photo-sharing service to use the entity ID information received from the network- enabled digital cameras to automatically associate the uploaded images with the photo- sharing website for the entity (See abstract; column 4, lines 1-57; column 8, lines 56-67; column 9, lines 19-50; column 10, lines 44-56; column 12, lines 5-40).

As to claims 14 and 24, Anderson et al. teaches wherein at least one set of network-enabled digital cameras is controlled by a hierarchal relationship of entities (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); further including the step of customizing at least one of the cameras for a hierarchal relationship of entities (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to Claims 15 and 25, Anderson et al. teaches wherein the network-enabled digital camera transmits the entity ID of each of the entities in the hierarchal relationship (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); further including the steps of providing the entity ID as a set of hierarchal entity IDs (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 16, Anderson et al. teaches wherein the entities include at least one of a camera manufacturer, a business, a government agency, and end-users (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 17, Anderson et al. teaches wherein the online photo-sharing service includes a server and a database for providing access to the respective websites (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 20, Anderson et al. teaches wherein the online photo-sharing service derives revenue from the entities (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 21, Anderson et al. teaches wherein the online photo-sharing service shares revenue with multiple entities that are in a hierarchal relationship (See column 3, lines 6-21; column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 22, Anderson et al. teaches wherein the respective websites are customized for each of the entities, wherein when users visit the respective websites over the network, it appears to the user that the respective websites are hosted by the

corresponding entities (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 23, Anderson et al. teaches a method for automatically sending images from entity-specific cameras to entity-specific websites (See Abstract; column 4, lines 5-13, lines 19-56), comprising:

customizing a plurality of entity-specific cameras for different entities by loading at least one entity ID into the camera; providing an online photo-sharing service for accessing a plurality of photo- sharing websites (See Abstract; column 4, lines 5-13, lines 19-56);

providing the plurality of entity-specific cameras with a TCP-IP protocol stack for allowing the entity-specific cameras to wirelessly communicate with the online photo-sharing service over a-a a wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40);

customizing in appearance each of the photo-sharing websites for a respective entity to create entity-specific websites, each of the entity-specific websites being identified by a respective entity ID (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40);

wirelessly transmitting the respective entity ID for a particular entity-specific website from the camera to the photo-sharing service when uploading images from the camera to the photo-sharing service via the wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40); and

receiving the images and the entity ID from the camera and associating the images with the particular entity-specific website identified by the entity ID (See abstract; column 4, lines 1-57; column 8, lines 56-67; column 9, lines 19-50; column 10, lines 44-56; column 12, lines 5-40).

As to claim 26, Anderson et al. teaches further including storing the entity-specific websites on a database accessed by a server (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 28, Anderson et al. teaches further including the step of associating URL's of the entity specific websites with the corresponding entity accounts in the database (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 29, Anderson et al. teaches further including the steps of matching a received entity ID with one of the entity accounts in order to associate the received images with the entity specific website (column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 30, Anderson et al. teaches further including the step of transmitting a user entity ID with the entity ID, and creating a user account in the database

corresponding to the user ID (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53), wherein the received images are associated with the users account in the corresponding entity-specific website (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claims 31-33, Anderson et al. teaches wherein providing software for the entity-specific network-enabled image capture devices further includes :providing a default internet service provider connection information (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); wherein the network-enabled digital camera further includes: default internet service provider connection information (See page column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); providing the plurality of entity-specific cameras with default internet service provider connection information (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 34, Anderson et al. teaches an online photo-sharing system (See Abstract; column 4, lines 5-13, lines 19-56), comprising:

an online photo-sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls a set of network-enabled digital cameras and one or more of the websites is customized in appearance to a corresponding one or

more of the plurality of entities, the set of network-enabled digital cameras including digital camera software that is customized to each of the entities (See Abstract; column 4, lines 5-13, lines 19-56), including a TCP-IP protocol stack that enables wireless communication between the network- enabled digital cameras and the online photo-sharing service via a-a a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the particular entity to the photo-sharing service over the Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website hosted for that particular entity (See abstract; column 4, lines 1-57; column 8, lines 56-67; column 9, lines 19-50; column 10, lines 44-56; column 12, lines 5-40).

As to claim 35, Anderson et al. teaches an online photo-sharing system (See Abstract; column 4, lines 5-13, lines 19-56), comprising:

a plurality of network-enabled digital cameras for accessing an online photo-sharing service for hosting respective websites for a plurality of entities, wherein each of the entities controls at least one of the network-enabled digital cameras and one or

more of the websites is customized in appearance to a corresponding one or more of the plurality of entities (See Abstract; column 4, lines 5-13, lines 19-56), each of the plurality of network-enabled digital cameras including digital camera software that is customized each of the entities, including a TCP-IP protocol stack that enables wireless communication between the network-enabled digital cameras and the online photo-sharing service via an a wireless Internet connection, wherein when the software customized to a particular entity is executed in the entity's network-enabled digital cameras during the wireless Internet connection (See abstract; column 4, lines 1-57; column 9, lines 19-50; column 12, lines 5-40), the software causes the network-enabled digital cameras to automatically upload images and wirelessly transmit the entity ID information for the particular entity to the photo-sharing service over the wireless Internet connection, allowing the photo-sharing service to use the entity ID information received from the network-enabled digital cameras to automatically associate the uploaded images with the photo-sharing website hosted for that particular entity (See abstract; column 4, lines 1-57; column 8, lines 56-67; column 9, lines 19-50; column 10, lines 44-56; column 12, lines 5-40).

As to claim 36, Anderson et al. teaches wherein the online photo-sharing service is capable of hosting the entity specific photo-sharing websites for each of the entities (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 37-38 and 40, Anderson et al. teaches wherein the entity specific photo-sharing websites are hosted outside of the photo-sharing service (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); wherein the online photo-sharing service is configured to access a server (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53) and a database outside of the photo-sharing service for hosting the respective websites (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53); wherein the database storing the entity specific websites is arranged outside the photo-sharing service (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

As to claim 39, Anderson et al. teaches wherein the database storing the entity-specific websites is included within the photo-sharing service (See column 4, lines 1-57; column 8, lines 56-67; column 10, lines 15-56; column 13, lines 44-67; column 14, lines 1-53).

Response to Arguments

4. Applicant's arguments filed on 10-April -2008, with respect to the rejected claims 1-10, and 12-40 have been fully considered but they are not found to be persuasive:

In response to applicants' arguments regarding "***None of the cited sections of Anderson disclose a photo-sharing site as recited in the instant claims... The images in Anderson are stored on the image capture unit and accessed from that***

location. The abstract clearly states "The web page provides access to the stored images within the image capture unit." There is no mention of storing images anywhere other than on the camera. As such, Anderson cannot be said to disclose or suggest a photo-sharing website or service in any manner," the arguments have been fully considered but are not found to be persuasive, because Anderson et al. discloses allows the user or other users to access the images via the internet by a device ID (See column 5, lines 47-55; column 6, lines 8-19, where it is disclosed that pictures can be stored on the computer. also see column 8, lines 56-67; column 9, lines .30-50). It can also be inherent that the photos are stored on the "Web page" because otherwise the user's friends or relatives could not view them.

In response to applicants' arguments regarding ***"Anderson cannot be said to disclose or suggest "wherein one or more of the entity-specific photo-sharing websites is customized in appearance to a corresponding one or more of the plurality of entities" as recited in claim 1,***" the arguments have been fully considered but are not found to be persuasive, because according to the specification of the present application "customized in appearance" is not disclosed or defined therefore, the examiner is interpurtating it vaguely. Anderson et al. discloses that the web page is user and device specific (See column 9, lines 39-50).

In response to applicants' arguments regarding "***the only access to images that occurs in Anderson is via a webpage provided by the camera that provides direct access to a user via a web browser. No photo-sharing service is described at all, much less one that receives images,***" the arguments have been fully considered but

are not found to be persuasive, because Anderson et al. discloses user sharing in column 9, lines 39-50 and column 10, lines 44-56.

In response to applicants' arguments regarding "***the ID server cannot be said to disclose this recitation as well. The ID server never receives the images, much less automatically associates the images with the photo-sharing website of the identified entity. As such, the ID server disclosed in Anderson cannot be said to disclose this recitation either. Accordingly, since Anderson fails to disclose each and every feature of the claimed invention for this reason as well, claim 1 is not anticipated by Anderson***," the arguments have been fully considered but are not found to be persuasive, because Anderson et al. discloses allows the user or other users to access the images via the internet by a device ID (See column 5, lines 47-55; column 6, lines 8-19, where it is disclosed that pictures can be stored on the computer. also see column 8, lines 56-67; column 9, lines .30-50). It can also be inherent that the photos are stored on the "Web page" because otherwise the users friends or relatives could not view them.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 14, 2008
Mmc

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164